

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In Re: BRIAN ALLERHEILIGEN : Case No. 15-50156
: Chapter 13
: Judge CHARLES M. CALDWELL

MOTION TO MODIFY DEBTOR'S CHAPTER 13 PLAN

Now comes Frank M. Pees, Chapter 13 Trustee, and requests that the Court enter an Order Modifying Debtor's Chapter 13 Plan. The Trustee requests that the dividend paid to unsecured creditors be decreased to 5.00%. Previous Modification(s) has/have been entered in this case; August 19, 2016, document number 38. Support for this motion is set forth below.

MEMORANDUM IN SUPPORT

Debtor's Chapter 13 plan was confirmed on July 13, 2015, and provided for a dividend of 2.00% to unsecured creditors. The plan was later modified by order of this Court dated August 19, 2016, Document Number 38, to provide a dividend of 13.00% to the unsecured creditors. Previous Modification(s) has/have been entered in this case; August 19, 2016, document number 38. Due to an internal auditing error, the plan is now completing in 68 months, the plan was to complete in 50 months at the original dividend of 2.00%. This modification does affect the rights of creditors or other parties in interest.

The Trustee calculates that Debtor's plan be modified to pay a dividend of 5.00% in 60 months at the current plan payments.

Accordingly, pursuant to 11 U.S.C. §1329 (a)(1), the Trustee requests that the Court enter an Order decreasing the dividend to unsecured creditors in this case to 5.00%.

Respectfully submitted,

/s/ Frank M. Pees
Frank M. Pees
Chapter 13 Trustee
130 E Wilson Bridge Rd #200
Worthington, OH 43085
(614) 436-6700
trustee@ch13.org

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CERTIFICATE OF SERVICE

I hereby certify that on July 25, 2017, a copy of the foregoing Motion to Modify was served on the following registered ECF participants, **electronically** through the court's ECF System at the email address registered with the court:

US Trustee
Frank M. Pees
Erin E. Schrader

and on the following by **ordinary U.S. Mail** addressed to:

Brian Allerheiligen
PO Box 1062
Gypsum, CO 81637

**See Creditor Matrix
All Creditors and Parties in Interest**

/s/ Frank M. Pees
Frank M. Pees
Chapter 13 Trustee

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NOTICE OF MOTION TO MODIFY

The Chapter 13 Trustee has filed papers with the court to modify the Chapter 13 Plan in this case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief sought in this motion, **then on or before twenty-one (21) days from the date set forth in the certificate of service for the motion**, you must file with the court a response explaining your position by mailing your response by ordinary U.S. Mail to:

CLERK, US BANKRUPTCY COURT
170 N HIGH ST
COLUMBUS, OH 43215-2403

OR your attorney must file a response using the court's ECF System.

The court must receive your response on or before the above date.

You must also mail a copy of your response either by 1) the court's ECF System or by 2) ordinary U.S. Mail

FRANK M PEES TRUSTEE
130 E WILSON BRIDGE RD #200
WORTHINGTON, OH 43085-6300

UNITED STATES TRUSTEE
170 N HIGH ST STE 200
COLUMBUS, OH 43215

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter the order granting relief without further notice or hearing.

Date: July 25, 2017

/s/ Frank M. Pees
Frank M. Pees
Chapter 13 Trustee

RBFCU Master Card
One Randolph Brooks Parkway
San Antonio, TX 78233-0000

Kelly Allerheiligen
c/o Bexar Co. CSEA
4371 E Southcross Blvd.
San Antonio, TX 78222-0000

Sallie Mae/Navient
P.O. Box 4600
Wilkes Barre, PA 18773-4600

First Federal of Lakewood
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Lakewood, OH 44107-0000

Rashin Mazaheri
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Stacey Rose
Franklin County CSEA
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Columbus, OH 43215-0000

Brian Allerheiligen
PO Box 1062
Gypsum, CO 81637-0000

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RBFCU Signature Loan
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The Ohio Bell Telephone Company
% AT&T Services, Inc
Karen Cavagnaro, Paralegal
One AT&T Way, Room 3A104
Bedminster, NJ 07921-0000

Navient Solutions, Inc. on behalf of USAF
Attn: Bankruptcy Litigation Unit E3149
P.O. Box 9430
Wilkes-Barre, PA 18773-9430

First Federal S & L Association of
Lakewood
14806 Detroit Avenue
Lakewood, OH 44107-0000

Judy McInturff
50 W Broad St
2300 Leveque Tower
Columbus, OH 43215-0000

AT & T
PO Box 183055
Columbus, OH 43218-0000

Quarry Pointe Homeowners Association
c/o OMNI Community Assoc
Po Box 395
Grove City, OH 43123-0000

Central Ohio Primary Care
570 Polaris Parkway
Westerville, OH 43082-0000

Horace Edwards
5800 SW Turnberry Court
Topeka, KS 66614-0000

Medtronic Mini Med
13019 Collection Center Dr.
Chicago, IL 60693-0000

Karen Marvel
500 Lexington Ave.
San Antonio, TX 78215-0000

Franklin County Court of Common Pleas
369 S. High St.
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Columbus, OH 43215-0000

Randolph Brooks FCU
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Franklin Collection Service
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Randolph Brooks FCU
PO Box 2097
Universal City, TX 78148-0000

Franklin County Child Support
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Judith M. McInturff
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